

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:14-CR-14-D

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
HARRY C. MANN,)
)
 Defendant.)

ORDER

As stated in open court and incorporated herein by reference, defendant's motion for a subpoena [D.E. 99] is GRANTED. After defense counsel receives investigative file OCA 100130 concerning Rudy Lozano and the public records affidavit, defense counsel shall promptly provide a copy of the file and affidavit to Assistant United States Attorney Dennis Duffy.

As stated in open court and incorporated herein by reference, defendant's motion to dismiss counts one, two, and three for failure to state an offense [D.E. 98] is DENIED.

As stated in open court and incorporated herein by reference, defendant's motion for production of Brady material [D.E. 97] is GRANTED in part and DENIED in part. The government shall determine whether any records exist in Agent Gookin's military personnel file concerning the 1984 accusation about stealing a firearm and produce any responsive documents. The government also shall determine whether any records exist in NCIS's file or Agent Gookin's personnel file concerning the 1993 allegation about stealing scrap and any resulting polygraph clearing him of the allegation and produce any response documents. The government need not produce metadata concerning Agent Ferris's reports or documents concerning Agent Sutton's worker's compensation claim.

SO ORDERED. This 24 day of July 2015.


JAMES C. DEVER III
Chief United States District Judge